

Senate Bill No. 242

Passed the Senate May 8, 2003

Secretary of the Senate

Passed the Assembly July 10, 2003

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2003, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Section 81130.3 of, and to add Article 3 (commencing with Section 81050) to Chapter 1 of Part 49 of, the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 242, Knight. Community college facilities: building standards.

Existing law requires the Department of General Services to supervise the design and construction of certain school buildings to ensure that plans and specifications comply with specified structural safety standards and to ensure that the work of construction has been performed in accordance with the approved plans and specifications, for the protection of life and property. Existing law also requires the department to pass upon and approve or reject all plans for the construction, and in some cases, the alteration of any school building subject to those provisions, and to inspect the school buildings and work of construction or alteration that in its judgment is necessary or proper for the enforcement of these requirements and the protection of the safety of the students, the instructors, and the public. These requirements are part of the body of law known as the Field Act.

This bill would authorize certain school buildings designed for community college purposes, and to be used to house classes of the California State University or the University of California in addition to community college classes, to be built either according to those provisions or built according to the California Building Standards Code if, prior to the commencement of construction, the governing board of the community college district enters into an agreement for the use of classroom space in that building by the California State University or the University of California. The bill would require a community college district governing board that proposes to construct a school building under this bill that does not comply with the Field Act to provide appropriate public notice, including the holding of a public hearing, as specified. The bill would also correct erroneous cross-references in the Field Act.



The people of the State of California do enact as follows:

SECTION 1. Article 3 (commencing with Section 81050) is added to Chapter 1 of Part 49 of the Education Code, to read:

Article 3. Building Standards

81050. “School building,” as used in this article, means any building used, or designed to be used, for community college purposes and constructed by the state, by any city, county, or city and county, by any district of any kind within the state, by any regional occupational center or program created by or authorized to act by an agreement under joint exercise of power, or by the United States government, or any agency thereof.

81051. (a) (1) Each school building newly constructed after January 1, 2004, to be used to house classes offered by the California State University or the University of California in addition to housing community college classes, shall be built according to the Field Act, as defined in Section 81130.3, or, if paragraph (2) applies, that building may be built according to the California Building Standards Code, as adopted by the California Building Standards Commission for buildings constructed by the Trustees of the California State University or the Regents of the University of California.

(2) A building qualifies under this section for construction according to the California Building Standards Code if, prior to the commencement of construction, the governing board of the community college district enters into an agreement with the Trustees of the California State University or the Regents of the University of California that includes, but is not necessarily limited to, both of the following:

(A) Provision for the use of classroom space in that building by the California State University or the University of California to house at least two full semester courses each academic year for a term of at least 10 years.

(B) Provision for consideration for the use of this space at fair market value.

(b) The governing board of a community college district that proposes to construct a school building pursuant to this section that does not comply with the Field Act shall hold a public hearing,



after giving appropriate public notice, for the purpose of gaining public input on the matter, and shall adopt its decision on this proposal at a public hearing.

SEC. 2. Section 81130.3 of the Education Code is amended to read:

81130.3. This article, together with Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365) of Chapter 3 of Part 10.5, shall be known and may be cited as the “Field Act.”



Approved _____, 2003

Governor

